

**REMARKS**

The specification and claims have been amended to clarify the invention. Specifically, “ticket issuing center” has been changed to “reservation center.” And, “without a ticket” has been clarified as being “without a physical ticket”. No new matter has been added by these changes.

The rejection of claims 1-15 under 35 USC §102(b) as being anticipated by Goheen (US Patent No. 5,724,520) is in error. Independent claims 1 and 11 require and describe a ticketless system for gaining admittance to an event. Independent claim 6 requires and describes a method of receiving access to an event without a physical ticket. Goheen teaches using a plastic card as a physical ticket. Thus, Goheen cannot anticipate nor achieve Applicant’s claims 1, 6 and 11.

There are other differences. For example, the ticketless system of claim 1 requires “a fourth notification mechanism for notifying said ticket issuing center of fifth data for identifying a second user terminal ... [and] a permission mechanism for permitting the owner of the second user terminal to pass through an entrance gate ... when said fifth data coincides with said third data.” Independent claim 6 teaches a method including similar features.

And independent claim 11 requires “an input mechanism for receiving fifth data identifying said user terminal ... [and] a permission mechanism, when said fifth data coincides with said third date data, for permitting the passage of a person which has input said fifth data.”

The Examiner in his rejection never states where Goheen teaches a second user terminal, a fourth mechanism, or an input mechanism. The Examiner broadly claims that these elements are taught by a “revised reservation and a new (second) flight” in column 5 lines 20-23 of Goheen (Final Action, dated 04/21/2005, cipher 12). However, revising the reservation

using an airline-owned ATM is completely unrelated to the claimed mechanism. The claimed mechanism notifies the ticket issuing center of fifth set of data for use by the permission mechanism to enable admittance of the "owner of the second user terminal" or "the person which has input said fifth data."

To help the Examiner better understand Applicant's invention, an illustrative example of the ticketless system method will now be given. Traditionally, if a person wants to attend a concert in a stadium, they buy a ticket over the phone or internet and the ticket is mailed to them or they pick it up at a will call window of the theater. In Goheen, a ticket issuing center mails the person a plastic card, which is then swiped through a card reader to gain access to the stadium at the appropriate time.

With Applicant's claimed system, a buyer reserves and pays for a seat over the internet using his home computer, for example. During the reservation process, the buyer gives the ticket issuing center information about himself including his cell phone number. When the buyer arrives at the entrance gate of the stadium before the concert, he calls the ticket issuing center from his cell phone (a second user terminal). A permission mechanism then checks to see if the information about his cell phone (fifth data) matches the information he gave when he reserved his seat over the internet (third data). If the fifth data and third data coincide, the gate opens and the person can enter the stadium for the concert. Unlike the traditional method or Goheen's method, a person is never given a ticket, a plastic card or any other physical form of identification to gain entrance.

Therefore, the ticketless system taught in independent claims 1 and 11 and the ticketless method of claim 6 are patentable over Goheen.

**HAYES SOLOWAY P.C.**  
130 W. CUSHING STREET  
TUCSON, AZ 85701  
TEL. 520.882.7623  
FAX. 520.882.7643

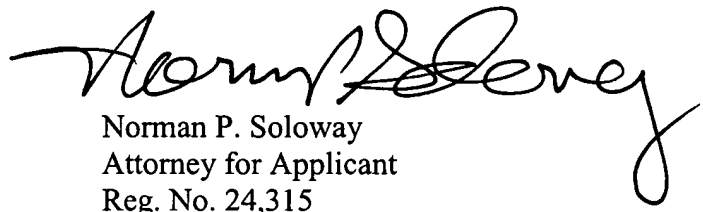
175 CANAL STREET  
MANCHESTER, NH 03101  
TEL. 603.668.1400  
FAX. 603.668.8567

Claims 2-5, 7-10 and 11-15 depend directly or indirectly on independent claims 1, 6 and 11 and are allowable for the same reasons as stated above, as well as for their own additional limitations.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



Norman P. Soloway  
Attorney for Applicant  
Reg. No. 24,315

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 9, 2005, at Tucson, Arizona.

NPS/WPO:lv

By 

**HAYES SOLOWAY P.C.**  
130 W. CUSHING STREET  
TUCSON, AZ 85701  
TEL. 520.882.7623  
FAX. 520.882.7643

175 CANAL STREET  
MANCHESTER, NH 03101  
TEL. 603.668.1400  
FAX. 603.668.8567